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**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL S. JOHNSON, DONNA DYMKOWSKI, PATRICIA LONG-CORREA, ANTONIO SAMUEL, VINCENT HALL, ANGELETTE WATERS, Individually, and on behalf of the Class,	:	Civil Action No.: 1 :07cv08473 (GBD)
Plaintiffs,	:	
v.	:	
NEXTEL COMMUNICATIONS, INC., a Delaware Corporation; LEEDS, MORELLI & BROWN, P.C.; LENARD LEEDS; STEVEN A. MORELLI; JEFFREY K. BROWN; JAMES VAGNINI; FREDERIC DAVID OSTROVE; BRYAN MAZOLLA; SUSAN FITZGERALD; AND JOHN AND JANE DOES 1-10, (a fictitious designation for presently unknown Defendants),	:	<b>MEMORANDUM IN REPLY TO PLAINTIFFS' SUPPLEMENTAL OPPSITION, AND IN FURTHER SUPPORT OF BRYAN MAZZOLA AND SUSAN FITZGERALD SUPPLEMENTAL BRIEFINGS IN SUPPORT OF DISMISSAL</b>
Defendants.	:	

Defendants Bryan Mazzola (improperly pled as Bryan Mazolla) and Susan Fitzgerald hereby submit this Memorandum in lieu of a more formal brief in reply to Plaintiffs' supplemental opposition to their cross-motion to dismiss Plaintiffs' Complaint pursuant to Fed.R.Civ.P. 12(b)(6), and in further support of the motion.

Defendants rely upon the memorandum of law in reply to Plaintiffs' supplemental opposition filed by co-defendants Leeds, Morelli & Brown P.C., Lenard Leeds, Esq., Steven A. Morelli, Esq. and Jeffrey K. Brown, Esq. and hereby incorporate the co-defendants' arguments as their own.

**STERNS & WEINROTH**  
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Attorneys for Defendants  
**Bryan Mazzola and Susan Fitzgerald**

By: /s/ Jason S. Feinstein  
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Dated: May 5, 2008